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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/517,442

12/23/2004

Juha Kallio

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EXAMINER

MEHRPOUR, NAGHMEH

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/517,442	Applicant(s) KALLIO, JUHA	
	Examiner Naghmeh Mehrpour	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 28-52, 54-58**, are rejected under 35 U.S.C. 102(e) as being anticipated by Brescia et al. (US patent 7,068,189 B2).

Regarding claims 1, 41, 53-56, Brescia inherently teaches a communication for providing event specific profile to mobile terminal (See figure 1, 24) comprising:

determining **profile reception capabilities** of a mobile terminal (col 3 lines 5-59);

an application server associated with the event (col 3 lines 44-59, col 6 lines 49-67);

a mobile communication network for receiving even specific characterizes from the application server (col 3 lines 19-59); and

at least one mobile terminal for connection in the network (0048, figure 1);

wherein the mobile network notifies the application server if the mobile terminal is associated with the server transmits the event specific profile to the mobile terminal (col 3 lines 5-67).

Regarding claims 29, 42, Brescia teaches a method wherein the profile includes a collection of user setting or preferences (col 4 lines 14-67).

Regarding claims 30, 43, Brescia teaches a method wherein the profile includes user manageable settings (col 4 lines 14-67).

Regarding claims 31, 44, Brescia teaches a method wherein the profile includes a custom or event specific profile package (col 3 lines 44-66).

Regarding claims 32, 45, 57, Brescia teaches a method wherein the step of installing the profile in the mobile station (col 1 lines 38-54).

Regarding claims 33, 46, 48, Brescia teaches a method wherein the event is a location dependent event, the step of detecting an association of a mobile terminal with the event comprising detecting a location of the mobile (col 1 lines 54-66),

Regarding claims 34, 47, Brescia teaches a method wherein the event is a time dependent, the step of detecting an association of a mobile terminal with the detecting the location of mobile within a predetermined time period (col 4 lines 2-35).

Regarding claim 35, Brescia teaches a method wherein the predetermined period correspond to duration of the event (col 4 lines 2-35).

Regarding claim 36, Brescia teaches a method comprising removing the profile from the mobile responsive to the termination of the event (col 1 lines 39-67, col 2 lines 1-19).

Regarding claim 38, Brescia teaches a method wherein removing step comprising transmitting a termination signal to the mobile terminal responsive to which the profile is deleted (col 1 lines 39-59).

Regarding claim 39, Brescia teaches a method wherein the profile includes a link to event specific information (col 1 lines 39-59).

Regarding claim 40, Brescia teaches a method wherein the profile includes a link to an instant community (col 1 lines 39-59).

Regarding claim 49, Brescia teaches an application server wherein the second communication interface receives details of a mobile located in the location (col 1 lines 39-59).

Regarding claim 50, Brescia inherently teaches an application server wherein the details include the identity of the mobile (col 7 lines 34-62).

Regarding claim 51, Brescia teaches an application server wherein the first and the second communication interfaces are a fixed line communication interface (see figure 1, (col 1 lines 39-59, col 3 lines 5-33)).

Regarding claim 52, Brescia teaches an application server wherein the third communication interface is a mobile communication interface (figure 1, col 3 lines 5-33).

Regarding claim 58, an apparatus comprising:

determining means for determining profile reception capabilities of a mobile terminal;
first communication interface for providing a mobile network with event specific information (col 3 lines 5-59);
second communication interface means for receiving details of the mobile terminal associated with the event specific information (col 3 lines 5-59); and

third communication interface means for transmitting the event specific profile to the mobile terminal associated with an event specific information (col 3 lines 5-67, col 6 lines 49-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 53**, is rejected under 35 U.S.C. 103(a) as being unpatentable over Brescia et al. (US patent 7,068,189 B2) in view of Murto et al. (US Patent 7,249,100 B2).

Regarding claim 53, Brescia fails to teach an application server wherein the third communication interface is a GPRS or Bluetooth interface. However, Murto teaches an application server wherein the third communication interface is a GPRS or Bluetooth interface (col 6 lines 27-58, col 6 lines 19-35). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Murto with Brescia, in order to allow the user to select an item from the returned business list message and drill-down in the selected business entity data using base station triangulation connection through a Bluetooth net.

Response to Arguments

3. Applicant's arguments filed 12/05/07 have been fully considered but they are not persuasive.

In response to the applicant's argument that Brescia fails to teach "*transmitting the profile to the mobile, the information is send to the selected device not the server*".

The Examiner asserts that Brescia provides delivering information, such as a notification or other content, to a select communication device when defined event and location criteria are satisfied. A profile is established to define the event and location criteria along with a method for delivering the information. Typically, the receipt of event indicia indicating the occurrence of an event is compared with the event criteria in the profile. When the event indicia satisfies the event criteria, location indicia is gathered and compared with the defined location criteria. An event occurrence may be time based, location based, user initiated, or initiated by an external medium, such as a mobile terminal, communication control devices within the communication network, or an event service. A content service may be used to provide content when select event and location indicia correlate with event and location criteria defined by a profile. The content may include any type of information desired by a user and defined in the profile. Further providing notifications defined in a profile or provided with an event trigger, and therefore, would not need the services of a remote content service. Based on select criteria, the system is capable of delivering

information, such as notifications and content, to any number of devices, which are typically serviced by a circuit-switched network. **These devices may include, but are not limited to, traditional land line telephones, computers, mobile terminals, such as personal digital assistants (PDAs), mobile telephones, pagers, and the like. In addition to devices serviced by circuit-switched networks, wireless packet-switched devices, such as properly configured mobile telephones, may communicate with a traditional packet-switched network via wireless packet-switched networks. In the latter case, information is communicated between the wireless packet-switched device and devices on the packet-switched network without conversion to a circuit-switched format, such as the traditional time-division multiplexing (TDM).**

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., profile recited as such as the "look and feel" of the user) are not recited in the rejected claims). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any responses to this action should be mailed to:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913. The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah be reached (571) 272-7904.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

Jan 9, 2008


NAGHMEH MEHROTRA
PRIMARY EXAMINER